IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.16 OF 2007

IN

SUIT NO.316 OF 2006

Ms.Shobha Haridas Kapadia. ...Petitioner.

vs.

Mr.Mahendra Vallabhdas Kapadia ...Respondent

Ms.Rekha Safari, for Petitioner.

None for Respondent.

CORAM: D.K.DESHMUKH,J.

DATED: 26th February, 2007.

P.C.:-

1. By this petition, the petitioner alleges that the respondent has committed breach of his undertaking recorded in the order dated 13.2.2006 passed in Notice of motion no.338 of 2006 whereby he undertook to file audited accounts within two months of the completion of financial year and he was to give copy of those audited accounts to the plaintiff. There is no complaint made by the petitioner that the audited accounts are not filed and

that the copy thereof is not given. The only complaint of the petitioner is that the details and supporting documents are not supplied to the plaintiff. The undertaking of the respondent is only to file audited accounts, neither there is any undertaking nor there is any direction for supply of supporting documents to the plaintiff. I do not find that the undertaking given to the Court is willfully disobeyed by the respondent. Therefore, the petition is disposed of.